D.B. CIVIL SPECIAL APPEAL (W) NO.22/1996
Sushil Pal
VS
STATE OF RAJASTHAN & Anr.

Date of Order : 09/10/2006

HON'BLE THE CHIEF JUSTICE SHRI S.N. JHA
HON'BLE JUSTICE SHRI MOHAMMAD RAFIQ

Mr. M.S. Singhvi, for the appellant.
Mr. Rameshwar Dave, Dy. Government Advocate.

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This special appeal is directed against the order of learned Single Judge dismissing the writ petition of the appellant in S.B. Civil Writ Petition No.822/1994. The appellant had filed writ petition seeking direction to pay him minimum pay in the time scale on the principle of "equal pay for equal work". The learned Single Judge declined to grant such relief and he has come to the Division Bench in appeal.

At the oustset, Shri Rameshwar Dave Dy. Government Advocate appearing for the State stated that the services of the appellant who was a daily wage employee were terminated on 19.2.1996 which order the appellant did not challenge and with the termination of his service, the grievance of the appellant, if any, came to an end.

Learned counsel for the appellant submitted that the appellant is entitled to salary in the time scale for the period he had worked. We are of the view that the principle of equal pay for equal work is not applicable in the case of daily wage employees and, therefore, we are not inclined to grant any relief to the appellant.

We find no merit in the appeal. Accordingly, the same is dismissed.

(MOHAMMAD RAFIQ), J. **(S.N. JHA), CJ**.

c.p.goyal/-